

#4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

John MURACA

Application No.: To be Assigned

Filed: May 14, 2001

CPA Filing Date (if applicable):

Group Art Unit: To be Assigned

Examiner: To be Assigned



For: A METHOD, APPARATUS, AND MEDIUM USING A MASTER CONTROL FILE FOR
COMPUTER SOFTWARE INTEROPERABILITY BETWEEN DISPARATE
OPERATING SYSTEMS

Assistant Commissioner for Patents
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

In accordance with the duty of disclosure provisions of 37 C.F.R. §1.56, there is hereby provided certain information which the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the subject application.

1. Enclosures accompanying this Information Disclosure Statement are:

- 1a. ☐ Form PTO-1449.
- 1b. ☒ Copies of IDS citations. (If box not checked, see Item 6, below)
- 1c. ☐ An English language copy of search report(s) from a counterpart foreign application or a PCT International Search Report.
- 1d. ☐ English language translation (complete or relevant portion(s)) attached to each non-English language publication.
- 1e. ☐ Explanations of Relevancy of References (ATTACHMENT 1(e), hereto) for providing a concise explanation of each non-English publication.
- 1f. ☐ List of Copending Applications (ATTACHMENT 1(f), hereto).
- 1g. ☒ List of Additional Submitted Documents (ATTACHMENT 1(g), hereto, 2 pages).

2. ☐ This Information Disclosure Statement is filed under 37 C.F.R. §1.97(b):

(Check either Item 2a or 2b)

- 2a. ☒ before the latter of three (3) months after the U.S. patent application filing date or before the first Office Action on the merits therein; or
- 2b. ☐ with the filing of a Request for Continued Examination (RCE) or Continued Prosecution Application (CPA) and before the first Office Action on the merits therein.
- 2c. ☐ during 3-month suspension requested concurrently with filing of CPA or RCE

2d. ☐ with responses to Notice of Missing Parts in relation to CPA filed _____.
Accordingly, no fee or § 1.97(e) Statement is required.

3. ☐ This Information Disclosure Statement is filed under 37 C.F.R. §1.97(c) after the first Office Action on the merits, but before a Final Office Action or a Notice of Allowance.

*(Check either Item 3a or 3b; Item 3b to be checked if
any reference known for more than 3 months)*

3a. ☐ The §1.97(e) Statement in Item 5 below is applicable. Accordingly, no fee is required.

3b. ☐ The \$180.00 fee set forth in 37 C.F.R. §1.17(p) in accordance with 37 C.F.R. §1.97(c) is:

☐ enclosed.

☐ to be charged to Deposit Account No. 19-3935.

4. ☐ This Information Disclosure Statement is filed under 37 C.F.R. §1.97(d) after the Final Office Action or the Notice of Allowance, but before payment of the Issue Fee.

The § 1.97(e) Statement (Item 5 below) is applicable.

The \$180.00 fee set forth in 37 C.F.R. §1.17(p) in accordance with 37 C.F.R. §1.97(d) is:

☐ enclosed.

☐ to be charged to Deposit Account No. 19-3935.

5. ☐ Statement under § 1.97(e) *(applicable if Item 3a or Item 4 is checked)*

(Check either Item 5a or 5b)

5a. ☐ In accordance with 37 C.F.R. §1.97(e)(1), it is stated that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

5b. ☐ In accordance with 37 C.F.R. §1.97(e)(2), it is stated that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known by any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

6. ☐ This is a continuation/divisional/continuation-in-part application under 37 C.F.R. §1.53(b).

(Check appropriate Items 6a and/or 6b)

6a. ☐ Copies of the publications listed on the attached Form PTO-1449 which were previously cited in prior application Serial No. _____, filed on _____, of which this application claims priority under 35 U.S.C. §120, have been omitted pursuant to 37 C.F.R. §1.98(d).

6b. ☐ Copies of the publications listed on the attached Form PTO-1449 which were not previously cited in prior application Serial No. _____, filed on _____, of which this application claims priority under 35 U.S.C. §120, are provided herewith.

7. ☐ This is a continuation/divisional application under 37 C.F.R. §1.53(d).

(Check either Item 7a or 7b)

- 7a. ☐ The Issue Fee has not been paid.
7b. ☐ A Petition to Withdraw from issue under 37 C.F.R. §1.313(b)(5) is filed concurrently herewith or has been granted. A continuation application under 37 C.F.R. §1.53(d) after payment of the Issue Fee is proper in accordance with 37 C.F.R. §1.53(d)(1)(ii).

8. ☐ This is a Supplemental Information Disclosure Statement.

(Check either Item 8a or 8b)

- 8a. ☐ This Supplemental Information Disclosure Statement under 37 C.F.R. §1.97(f) supplements the Information Disclosure Statement filed on _____. A bona fide attempt was made to comply with 37 C.F.R. §1.98, but inadvertent omissions were made. These omissions have been corrected herein. Accordingly, additional time is requested so that this Supplemental IDS can be considered as if properly filed on _____.
8b. ☐ This Supplemental Information Disclosure Statement is timely filed within one (1) month of the Notice under 37 C.F.R. §1.97(i), mailed _____. (MPEP 609, Form ¶ 6.51, July 1997.)

9. ☐ In accordance with 37 C.F.R. §1.98, a concise explanation of what is presently understood to be the relevance of each non-English language publication is:

(Check appropriate Items 9a, 9b, 9c and/or 9d)

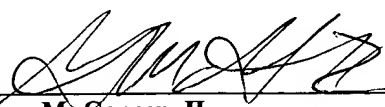
- 9a. ☐ satisfied because all non-English language publications were cited on the enclosed English language copy of the PCT International Search Report or the search report from a counterpart foreign application indicating the degree of relevance found by the foreign office. (See U.S. Patent & Trademark Office's authorization in the Federal Register, Vol. 57, No. 12, January 17, 1992, at page 2031 (Reply to Comment 68).)
9b. ☐ set forth in the application.
9c. ☐ satisfied because an English language translation (complete or relevant portion(s)) is attached to each non-English language publication.
9d. ☐ enclosed as Attachment 1(e), hereto.

10. No admission is made that the information cited in this Statement is, or is considered to be, material to patentability nor a representation that a search has been made (other than search report(s) from a counterpart foreign application or a PCT International Search Report, if submitted herewith). 37 C.F.R. §§ 1.97(g) and (h).

11. The Commissioner is authorized to credit any overpayment or charge any additional fee required under 37 C.F.R. §1.17 for this Information Disclosure Statement and/or Petition to Deposit Account No. 19-3935.

Respectfully submitted,
STAAS & HALSEY LLP

Dated: May 14, 2001
700 Eleventh Street, N.W., Suite 500
Washington, D.C. 20001
Telephone: (202) 434-1500
Facsimile: (202) 434-1501

By: 
Gene M. Garner, II
Registration No. 34,172

LIST OF ADDITIONAL SUBMITTED DOCUMENTS	ATTORNEY DOCKET NO.	APPLICATION NO.
	1503.1002/GMG	To Be Assigned
	FIRST NAMED INVENTOR	
	John Muraca	
	FILING DATE	GROUP ART UNIT
	May 14, 2001	To Be Assigned

The following document(s) is/are listed in accordance with the duty of disclosure provisions of 37 CFR § 1.56, so that the Examiner may consider same should he deem any thereof to be material to examination of the subject application. Pursuant to 37 CFR 1.98(a)(2)(iii), a copy of the identified copending application(s) is provided (unless Item 6 in the Information Disclosure Statement is checked).

It is requested that the Examiner acknowledge his consideration of document(s) below-listed by initialing same in the space provided adjacent each such application and that the Examiner sign and date this form at the bottom thereof to confirm such consideration having been given.

This submission in no way represents an admission that any of the information listed herein constitutes prior art with respect to the subject application and unless and until such prior art status is established, this submission is not a request that the information presented herein be printed on the face of any patent issuing from the subject application in which this information is being filed.

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

	AA	"TecKnowledge Healthcare Systems Inc. and ViTelNet Announce New Telehealth Alliance - Providing a Holistic Approach to Telehealth," http://www.vitelnet.com/profile_news/news_info.htm , dated September 1, 1999, 2 pages
	AB	ViTel Net Visual Telecommunications Network, Inc. brochure, "The Source for Telemedicine Solutions," 7 pages, including pages entitled "Leadership in multimedia information management and delivery systems," "About Us," "MedVizer Executive"/"MedVizer Interface Engine," "MedVizer Technology Approach," "MedVizer Store & Forward"/"MedVizer Web Environment," "MedVizer Video Conferencing (VTC)"/"MedVizer Acquisition", Visual Telecommunications Network, Inc.
	AC	ViTel Net, Inc. Press Release, May 3, 2000, "ViTel Net's Division Toolbox PACS, the Backbone of the Company's Telemedicine Solutions, Receives FDA Clearance," 1 page, Visual Telecommunications Network, Inc.
✓	AD	ViTel Net, Inc., Press Release, July 20, 2000, "ViTel Net's MedVizer TeleUltrasound Goes 'Live' in Northern Alberta Linking Rural Patients with Edmonton Radiologists," 2 pages, Visual Telecommunications, Inc.
	AE	ViTel Net, Inc., Press Release, July 11, 2000, "ViTel Net Awarded Costa Rica Telemedicine Network Project," 2 pages, Visual Telecommunications, Inc.

EXAMINER	DATE CONSIDERED
<p>*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>	

LIST OF ADDITIONAL SUBMITTED DOCUMENTS	ATTORNEY DOCKET NO.	APPLICATION NO.
	1503.1002/GMG	To Be Assigned
	FIRST NAMED INVENTOR	
	John Muraca	
	FILING DATE	GROUP ART UNIT
	May 14, 2001	To Be Assigned

The following document(s) is/are listed in accordance with the duty of disclosure provisions of 37 CFR § 1.56, so that the Examiner may consider same should he deem any thereof to be material to examination of the subject application. Pursuant to 37 CFR 1.98(a)(2)(iii), a copy of the identified copending application(s) is provided (unless Item 6 in the Information Disclosure Statement is checked).

It is requested that the Examiner acknowledge his consideration of document(s) below-listed by initialing same in the space provided adjacent each such application and that the Examiner sign and date this form at the bottom thereof to confirm such consideration having been given.

This submission in no way represents an admission that any of the information listed herein constitutes prior art with respect to the subject application and unless and until such prior art status is established, this submission is not a request that the information presented herein be printed on the face of any patent issuing from the subject application in which this information is being filed.

OTHER REFERENCES *(Including Author, Title, Date, Pertinent Pages, Etc.)*

	AF	ViTel Net, Inc., Press Release, May 15, 2000, « New, Windows CE-based, Hand-held Telemedicine Data Collection Units for Home Care, Now Available from ViTel Net”, 2 pages, Visual Telecommunications, Inc.
	AG	ViTel Net, Inc., Press Release, May 15, 2000, « New, Portable MedVizer Post-Acute Care Solutions, Now Available from ViTel Net”, 2 pages, Visual Telecommunications, Inc.
	AH	ViTel Net, Inc., brochure inserts (8 pages, Copyright 2000 Visual Telecommunications Network, Inc.), including pages entitled “MedVizer Executive (Patient Information Manager Desktop)”, “MedVizer HomeCare Personal Assistant”, “MedVizer Personal Physician Assistant”, “MedVizer Post-Acute Care Solution”, “MedVizer TeleRadiology and PACS Solution”, “MedVizer TeleEchocardiogram Solution”, “MedVizer TeleUltrasound Solution”, “MedVizer Web Browser Enhancement Tools”

EXAMINER	DATE CONSIDERED
<p>*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>	